

## EXHIBIT C

### HEALTH AND SAFETY PROTOCOL

1. This Health and Safety Protocol is an Exhibit to a certain Grant of Environmental Restriction and Easement (the “Grant”) relating to the GE-Pittsfield Housatonic River Site. All terms used in this Protocol shall have the same meaning as defined in the Grant.

2. Except as provided, below, in Paragraph 3 of this Protocol, Grantor shall prepare and submit a Health and Safety Plan (“HSP”) to Grantee, with a copy to DEP **[if DEP is not the Grantee]** and EPA pursuant to Paragraph 20 (“Agency Review and Comment; Notices”) of the Grant, fifteen (15) days or more before conducting any permitted activity or use pursuant to Paragraph 4 (“Permitted Activities and Uses”) of the Grant that is subject to this Health and Safety Protocol or as otherwise required by the Grant. If appropriate, Grantor may submit a pre-existing health and safety plan in lieu of preparing a new plan to address this requirement and/or incorporate by reference a previously submitted HSP. Grantor shall comply with the HSP when conducting any permitted activity or use pursuant to the Grant that is subject to this Health and Safety Protocol or as otherwise required by the Grant.

3. An HSP shall not be required for any excavation permitted pursuant to the following subparagraphs of the Grant: 4.A (“Surface Excavation of Ten (10) Cubic Yards or Less”), 4.B (“Surface Excavation of any Volume”), and/or 4.D (“Surface and/or Subsurface Excavation for Utility Work”), provided that the excavation permitted under subparagraph 4.D is conducted solely within one (1) foot of the surface of the ground in the Soil Cover Area or the Open Soil/Vegetated Area.

4. The HSP shall be prepared in accordance with the occupational health and safety provisions of 29 Code of Federal Regulations § 1910.120 otherwise applicable to hazardous waste operations and emergency response, as amended, and, any other applicable federal, state or local law. For any utility repair, maintenance or installation, or installation in confined spaces, the HSP shall also be prepared in accordance with the provisions of 29 Code of Federal Regulations § 1910.146, otherwise applicable to work in confined spaces, as amended.

5. In addition to the requirements of Paragraph 4 of this Protocol, the HSP shall, without limitation, include the following items:

1. General information on the nature, extent, and concentrations of hazardous substances (as defined by CERCLA) and hazardous materials and oil (as defined by Chapter 21E) anticipated in the media to be impacted by the permitted activity and use, based upon existing information.

2. Description of tasks which may involve exposure to hazardous substances, hazardous materials, or oil.
  3. Description of anticipated actions to protect the health, safety, and welfare of workers and the general public. Actions shall include, but not be limited to, dust control, odor control, personal protective equipment, and erosion and sedimentation control measures (as needed for the particular permitted activity and use).
  4. Discussion of relevant physical, chemical, and biological hazards. (Relevant portions of Material Safety Data Sheets may be incorporated as appropriate.)
  2. A requirement that all persons engaged in the work read and acknowledge the provisions of the HSP and document compliance with said provisions.
  3. A requirement that all persons engaged in the work receive appropriate training in matters of health and safety in accordance with 29 Code of Federal Regulations Section 1910.120, as amended, and, any other applicable federal, state or local law.
6. The HSP shall be approved by a Certified Industrial Hygienist.

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